



Australian Government
Refugee Review Tribunal

Country Advice

China

China – CHN37475 – Fujian Province –
Freedom of movement – Hukou – Local
Church – Shouters

8 October 2010

1. How difficult is it for a young woman to move to another province in China?

It can be difficult for Chinese citizens to relocate to another province, but it is possible under certain circumstances – and it is worth noting that many people move internally in China without observing the official process.

The *hukou* system

Internal migration in China is legally controlled through the *hukou* or household registration system. The *hukou* system restricts where Chinese citizens can live, and it can be very difficult to change from one *hukou* zone to another.¹ Rural residents may have an especially difficult time gaining entry to major urban centres. That said, citizens *may* be able to obtain a temporary or permanent *hukou* permit for another location in some circumstances, including in cases of new employment. There are a large number of internal migrants who move to other *hukou* areas without obtaining *hukou* permits – though these individuals are at a disadvantage because they are not entitled to state resources or government services.

The *hukou* system requires all Chinese citizens to register at birth with the Public Security Bureau (PSB) according to their place of residence or household. Each person can only have one permanent registered household at a time, though a person's *hukou* can be changed with PSB authorisation.² *Hukou* documentation is required for education, marriage, gaining a passport, travel, employment, business licenses and even opening a landline phone or mobile phone account.³ It allows citizens to access 'numerous community-based rights, opportunities, benefits and privileges' within their *hukou* zone.⁴

¹ Amnesty International 2007, *People's Republic of China – Internal Migrants: Discrimination and abuse: The human cost of an economic 'miracle'*, 1 March – Attachment 1.

² Fang, C. 2003, 'Migration and Socio-Economic Insecurity: Patterns, Processes and Policies', International Labour Organization website, July, <http://www.ilo.org/public/english/protection/ses/download/docs/migration.pdf> – Accessed 30 September 2010 – Attachment 2.

³ Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 63-67 – Attachment 3.

⁴ Wang, F.L. 2005, 'Brewing Tensions While Maintaining Stabilities: The Dual Role Of The *Hukou* System In Contemporary China', *Asian Perspective*, Vol. 29, No. 4, pp. 85-124 – Attachment 5.

Obtaining *hukou* permits in other locations

As there are strict requirements for changing one's *hukou*, moving from one province to another can be quite difficult. The difficulty in changing one's *hukou* has been compared with obtaining a green card from the United States.⁵ Citizens can obtain either a temporary or permanent *hukou* permit for another location. Amnesty International's report, *China: Internal migrants: Discrimination and abuse*, states:

...Any person staying in a locality outside their *hukou* zone for more than three months must, furthermore, apply for a Temporary Residential Permit (*zanzhuzheng*) which provides the legal basis for residence and the key basis of legal identity.

...The documentation required for obtaining a temporary residency permit differs between localities, although either a labour contract or documentation from a local host or local landlord is generally required. The fact that many internal migrant workers do not have employment contracts [...] increases their difficulty in obtaining such permits. Additional documentation that internal migrants may be required to submit includes a work permission authorization from their original locality, documentation proving they have not violated family-planning policies, that they have no criminal record, as well as proof of unmarried status, and a character reference from the police in the place of origin.⁶

Changing one's *hukou* permanently can only be done in limited circumstances, such as:

...permanent internal migration (*qianyi*) for a state-sector job assignment, college or graduate-school enrolment, or specially authorized change of *hukou* such as recategorization of rural residents as urban residents, or for family reunion purposes.⁷

...Anyone who has a stable non-agricultural income and permanent residence in a small city or town for at least two years will automatically qualify for an urban *hukou* and become a permanent local resident. Some medium and even large cities are also authorized to do the same, with a higher and more specific income, employment, and residence requirement.⁸

Rural residents obtaining urban *hukou* permits

Question 3 of *RRT Research Response CHN35911* gives detailed information about relocation within China.⁹ It states that despite the apparent relaxing of the *hukou* system, it remains quite difficult for rural residents to move to urban areas due to annual quotas for the amount of *hukous* that could be granted for large urban areas, as it means that a large number of internal migrants have to compete for a limited amount of *hukou* permits. Moreover, the larger cities where there are more government provided services (such as

⁵ FlorCruz, J. 2010, 'China's migrant restrictions stirs outcry', CNN International, 12 March <http://edition.cnn.com/2010/WORLD/asiapcf/03/11/china.hukou/index.html> – Accessed 30 September 2010 – Attachment 6.

⁶ Amnesty International 2007, *People's Republic of China – Internal Migrants: Discrimination and abuse: The human cost of an economic 'miracle'*, 1 March – Attachment 1.

⁷ Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, p 70 – Attachment 3.

⁸ Wang, F.L. 2005, 'Brewing Tensions While Maintaining Stabilities: The Dual Role Of The *Hukou* System In Contemporary China', *Asian Perspective*, Vol. 29, No. 4, pp. 85-124 – Attachment 5.

⁹ RRT Research & Information 2010, *Research Response CHN35911*, 2 February – Attachment 4.

public schools) tend to have more restrictions to migrants getting *hukou* permits, whereas smaller urban centres have less restrictions as there are less government provided services. Thus, it appears to be easier to migrate internally to smaller urban centres than larger cities. For a larger prefecture-level city with a population of several million, there may be more restrictions in obtaining local *hukou* permits than that for smaller urban centres.

Internal migration outside the *hukou* system

The research response mentioned above cites additional sources indicating that there are a large number of internal migrants who move to other *hukou* areas without obtaining *hukou* permits. These people are at a disadvantage because they are not legally entitled to state resources or government-provided services that are only available to those with *hukou* permits. Those from rural areas who accept *hukous* from small urban centres, are required to give up their land entitlement from their home village.

2. What is the situation in Fujian at the present moment in relation to Local Church worshippers? Are they able to practise freely?

There are differing views on the treatment of Local Church worshippers (also referred to as “shouters”) in Fujian province. Officially, the Local Church is still considered illegal in Fujian and those practising may be liable for detention. Other reports indicate Fujian is one of the most liberal provinces in enforcing religious policy in China and that relations between authorities and Local Church worshippers have greatly improved over the past few years.

The official stance from the Chinese authorities in Fujian is that the Local Church is an illegal organisation. This was noted in the US Congressional-Executive Commission on China Annual Report from 2009, which states that official reports from Fujian have identified the Local Church as an institution that they must “strike hard” against.¹⁰

Similarly, correspondence from the Department of Foreign Affairs and Trade (DFAT) in 2008 has stated that although they are not able to provide specific information on the ability of worshippers to attend the Local Church, it is considered an illegal sect and “those who attend churches which are not officially sanctioned may be subject to detention”.¹¹

There have been several recent unofficial reports indicating that, while still illegal, the Local Church in Fujian is usually tolerated by authorities. In February 2009, an elder of the Local Church in Melbourne, advised that while the Local Church is viewed as illegal in Fujian province, the arrest of members has decreased. The elder provided the following advice on the treatment of the Local Church in Fujian province:

As we understand it, the local churches in China are viewed differently in each province. Certain provinces allow the local churches to register with the authorities and once they have done so, they are allowed to worship. However, in other provinces, including Fujian province, the local churches are regarded as illegal gatherings, however as we understand from some members who come from this

¹⁰ US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October, p.139 – Attachment 7.

¹¹ Country Information Service 2008, *Country Information Report No. 08/66 – RRT Request CHN33508 – China – Shouters – additional information*, (sourced from DFAT advice of 14 July 2008), 15 July – Attachment 8.

province, there is not much arrests as before. There is now more dialogue between members of the local church and the authorities.¹²

Professor Joseph Lee, a Professor of History at Pace University in New York who has researched and written about Christianity in China, commented in 2008 that officially the Local Church is illegal but that in his field research conducted in 2005 in Xiamen and other Fujian cities he observed that “both the registered and unregistered churches were filled with people on Saturday and Sunday”.¹³

Comments from the executive secretary of the Hong Kong Christian Council in an Immigration and Refugee Board of Canada report dated 2005 state that Fujian has “the most liberal policy on religion in China, especially on Christianity”.¹⁴ The executive secretary also stated that authorities in regional areas of Fujian were more tolerant towards unregistered churches than urban authorities. In cases where arrests have been made, however, it is the “shouters”, or Local Church worshippers, who have been targeted.¹⁵

Longtian town in Fujian Province is reported to enjoy a high degree of tolerance from authorities. ‘The Local Church: a Transnational Protestant sect’, written by the academic Jason Kindopp in 2004, states:

Local Churches now operate legally in Shanghai, Nanjing, Fuzhou, and a number of rural counties in Zhejiang and Fujian Provinces. The Local Church in Fujian’s rural Longtian district, for example, recently built a massive church complex with a 4,000 person seating capacity and adjoining classrooms for Sunday school.¹⁶

RRT Research Response CHN35881 (completed January 2010) and *RRT Research Response CHN36095* (completed March 2010) provide similar information about the treatment of local church worshippers in Fujian province.¹⁷

Attachments

1. Amnesty International 2007, *People’s Republic of China – Internal Migrants: Discrimination and abuse: The human cost of an economic ‘miracle’*, 1 March. (CISNET China: CX173119)
2. Fang, C. 2003, ‘Migration and Socio-Economic Insecurity: Patterns, Processes and Policies’, International Labour Organization website, July, <http://www.ilo.org/public/english/protection/ses/download/docs/migration.pdf> – Accessed 30 September 2010.

¹² Elder of the church in Melbourne 2009, Email to RRT Research & Information: ‘Re: Request for information from the Refugee Review Tribunal, Sydney’, 9 February – Attachment 11.

¹³ RRT Information Request 2008, E-mail message reply by Professor Lee – CHN33901, 25 July – Attachment 12.

¹⁴ Immigration and Refugee Board of Canada 2005, *CHN100387.E – China: Situation of Protestants and treatment by authorities, particularly in Fujian and Guangdong (2001-2005)*, 7 September – Attachment 9.

¹⁵ Immigration and Refugee Board of Canada 2005, *CHN100387.E – China: Situation of Protestants and treatment by authorities, particularly in Fujian and Guangdong (2001-2005)*, 7 September – Attachment 9.

¹⁶ Kindopp, J. 2004, ‘The Local Church: a Transnational Protestant sect’, *The Politics of Protestantism in Contemporary China: State Control, Civil Society, and Social Movement in a Single Party State*, 16 May, p.466 – Attachment 10.

¹⁷ RRT Research & Information 2010, *Research Response CHN35881*, 8 January – Attachment 13. RRT Research & Information 2010, *Research Response CHN36095*, 10 March – Attachment 14.

3. Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 63-67, 70.
4. RRT Research & Information 2010, *Research Response CHN35911*, 2 February.
5. Wang, F.L. 2005, 'Brewing Tensions While Maintaining Stabilities: The Dual Role Of The *Hukou* System In Contemporary China', *Asian Perspective*, Vol. 29, No. 4, pp. 85-124.
6. FlorCruz, J. 2010, 'China's migrant restrictions stirs outcry', CNN International, 12 March <http://edition.cnn.com/2010/WORLD/asiapcf/03/11/china.hukou/index.html> – Accessed 30 September 2010.
7. US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October.
8. DIAC Country Information Service 2008, *Country Information Report No. 08/66 – RRT Request CHN33508 – China – Shouters – additional information*, (sourced from DFAT advice of 14 July 2008), 15 July. (CISNET China CX205172)
9. Immigration and Refugee Board of Canada 2005, *CHN100387.E – China: Situation of Protestants and treatment by authorities, particularly in Fujian and Guangdong (2001-2005)*, 7 September. (REFINFO)
10. Kindopp, J. 2004, 'The Local Church: a Transnational Protestant sect', *The Politics of Protestantism in Contemporary China: State Control, Civil Society, and Social Movement in a Single Party State*, 16 May.
11. Elder of the church in Melbourne 2009, Email to RRT Research & Information: 'Re: Request for information from the Refugee Review Tribunal, Sydney', 9 February.
12. RRT Information Request 2008, E-mail message reply by Professor Lee – CHN33901, 25 July.
13. RRT Research & Information 2010, *Research Response CHN35881*, 8 January.
14. RRT Research & Information 2010, *Research Response CHN36095*, 10 March.